Court No.2

Writ Petition No. 948 of 2001 (S/B) of 2002

Satendra Kumar Bhatnagar …….. Petitioner

Versus

State of Uttaranchal …….. Respondents

Hon. P.C. Verma, J.
Hon. Irshad Hussain,J.

Heard Sri Manoj Tiwari, learned counsel for the petitioner and learned Standing Counsel.

This writ petition has been filed challenging the suspension order dated 04.07.2002 contained in Annexure 9 to the writ petition. Learned counsel for the petitioner submitted that on the charges indicated in the suspension order, earlier show cause notice was issued and ultimately the proceedings were dropped. Thereafter, in some other matter, the petitioner filed a contempt petition. Therefore, the Secretary is biased. He passed the suspension order in contemplation of the proceedings. According to the petitioner, neither charge sheet has been submitted nor Enquiry Officer has been appointed. The department is sleeping over the matter after passing of the suspension order. Now, even after four months, the matter has been kept under contemplation. In case no charge sheet has been issued till date, the suspension order shall stand revoked. However, if the charge sheet has been issued, the petitioner shall file reply within a period of two weeks. Thereafter the inquiry shall be completed within next two weeks and decision shall be taken within a period of two weeks thereafter in accordance with the rules.

With the aforesaid observation, the petition is disposed of finally.

(Irshad Hussain, J.) **(P.C. Verma, J.)**

Dt. 01.11.2002
A